UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,866	01/29/2001	John A. Landry	H052617.1030US0	7783

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Intellectual Property Administration
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EXAMINER
CHUONG, TRUC T

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

HL

	Application No.	Applicant(s)
Office Action Summary	09/771,866	LANDRY ET AL.
	Examiner	Art Unit
	Truc T Chuong	2179

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _18 October 2004_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-27_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-27_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _29 January 2001_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   This communication is responsive to Amendment, filed 10/18/04.

2.   Claims 1-27 are pending in this application. Claims 1, 12, and 21 are independent claims.

In the Amendment, claims 1, 8, 12, and 21 are amended. This action is made final.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1, and 3-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Ewing et

al. (U.S. Patent No. 5,949,974).

As to claims 1 and 21, Ewing teaches a computing system, comprising:

an operating system (SNMP network management running IBM NETVIEW or HP

OPENVIEW, e.g., col. 5 lines 33-35);

main processor to run the operating system (there must be the Operating System to

operate the system SNMP network management, e.g., col. 5 lines 34-35);

a system monitor coupled to the main processor (user interfaces, e.g., col. 8 lines 62-65);

and

a user feedback mechanism comprising an operating system interface coupled to the

operating system, a basic input output system (BIOS) interface coupled to a BIOS

of the computing system (the network manager using the monitoring software to

monitor remote agents, e.g., col. 7 lines 30-50, and fig. 1) and an advanced

configuration and power interface (ACPI) interface coupled to ACPI logic of the

computing system (a power manager, e.g., col. 5 lines 44-50, col. 9 lines 4-10,

and fig. 1), wherein the user feedback mechanism is configured to monitor a

plurality of operating conditions of the computing system and to alert a user of the

computing system to the plurality of operating conditions (IBM NETVIEW or HP

OPENVIEW, e.g., col. 5 lines 33-35, and col. 7 lines 30-56), wherein the user

feedback mechanism comprises a display panel to display the plurality of

operating condition messages independently of the operating system (there are

different operating systems for each SNMP agent and SNMP manager; therefore,

the plurality of operating conditions of others throughout the network 10 as shown

in fig. 1 can be sent and seen from the different operating system/computer

without using the OS of the agent having problems, e.g., col. 4 lines 21-40, col. 7

lines 30-56, and fig. 1).

As to claims 3 and 22, Ewing teaches the computing system of claim 21, the user

feedback mechanism further comprising:

a controller coupled to the display panel to monitor a plurality of operating condition

signals corresponding to the plurality of operating conditions and to communicate the plurality of

operating conditions to the display panel independently of the operating system (it can be

rejected under similar explanation as claim 1 above, and e.g., col. 4 lines 21-40, col. 7 lines 30-56, and fig. 1).

As to claim 4, Ewing teaches the computing system of claim 3, the user feedback mechanism further comprising:

a display panel interface driver to pass the plurality of operating conditions to the controller (IBM NETVIEW or HP OPENVIEW, e.g., col. 5 lines 33-35, and col. 7 lines 30-56).

As to claim 5, Ewing teaches the computing system of claim 1, the user feedback mechanism further comprising:

a display panel interface coupled to the display panel for an application to communicate with the display panel (IBM NETVIEW or HP OPENVIEW, e.g., col. 5 lines 33-35, and col. 7 lines 30-56).

As to claim 6, Ewing teaches the computing system of claim 1, wherein the display panel displays a plurality of instructions to the user for the user to cure the plurality of operating conditions (IBM NETVIEW or HP OPENVIEW, e.g., col. 5 lines 33-35, col. 7 lines 30-56, and col. 8 lines 62-67).

As to claim 7, Ewing teaches the computing system of claim 1, wherein the user feedback mechanism monitors an operating condition of the plurality of operating conditions after system initialization by processing data from the operating system into a more meaningful form (the corresponding SNMP agent issues an alarm that identifies the problems, e.g., col. 7 lines 30-60).

As to claim 8, Ewing teaches the computing system of claim 1, wherein the BIOS interface is configured to monitor the plurality of operating conditions during system

initialization of the computing system by bypassing the operating system (it can be rejected

under similar explanation as claim 1 above).

As to claims 9 and 25, Ewing teaches the computing system of claim 8, wherein the

plurality of operating conditions comprises a plurality of primary device states for a plurality of

primary devices of the computing system (the only device or agent having problems will be

detected by the IBM NETVIEW or HP OPENVIEW, and the alarm that identified the problems

will be issued, e.g., col. 7 lines 45-60).

As to claim 10, Ewing teaches the computing system of claim 1, the user feedback

mechanism comprising: a safety button configured to signal a power supply to power off the

computing system if the computing system is not powered off by the operating system (power

reset/reboot, e.g., col. 7 lines 55-67, and col. 8 lines 1-25).

As to claims 11 and 16, Ewing teaches the computing system of claim 1, the user

feedback mechanism comprising: a plurality of fault tolerant client software components to

monitor the plurality of operating conditions after system initialization of the computing system

(the IBM NETVIEW or HP OPENVIEW monitors the entire network and devices at all time).

As to claims 12-14, they are method claims of system claims 1, 11 and 10. Note the

rejections of claims 1, 11-10 above respectively.

As to claim 15, Ewing teaches the step of monitoring a connection state of the computing

system to the Internet. Hawkins clearly teaches the Internet (e.g., col. 9 lines 35-39).

As to claim 17, Ewing inherently shows the method of claim 12, the monitoring step

comprising the step of: monitoring an e-mail notification message to the computing system (e-

mail can be used in the invention, e.g., col. 9 lines 20-25).

As to claim 18, Ewing teaches the method of claim 12, the monitoring step comprising

the step of: monitoring atomic time from a network server coupled to the computing system (the

IBM NETVIEW or HP OPENVIEW can identify the problem by type and node address;

therefore, the management system can monitor/identify the network events by variables

including time of the server program or other agents, e.g., col. 7 lines 42-60).

As to claims 19-20, they are method claims of system claims 7-8. Note the rejections of

claims 7-8 above respectively.

As to claim 23-24, they are similar in scope to claims 13 and 10; therefore, rejected under

similar rationale as claims 13 and 10 above.

As to claims 26-27, they are similar in scope to claims 7-8; therefore, rejected under

similar rationale.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ewing et al. (U.S.

Patent No. 5,949,974) in view of Hawkins et al. (U.S. 6,304,244 B1).

As to claim 2, Ewing does not teach the display panel comprising a liquid crystal display

(LCD) panel. Hawkins clearly teaches using LCD (e.g., col. 4 lines 3-59). It would have been

obvious at the time of the invention that a person with ordinary skill in the art would want to use

the LCD of Hawkins in the detecting/reading status of Ewing to improve space because of the

portable/compact size of the LCD (col. 4 lines 53-55).

Response to Arguments

7.   Applicant's arguments with respect to claims have been considered but are moot in view

of the new ground(s) of rejection.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Truc T Chuong whose telephone number is 571-272-4134. The

examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.
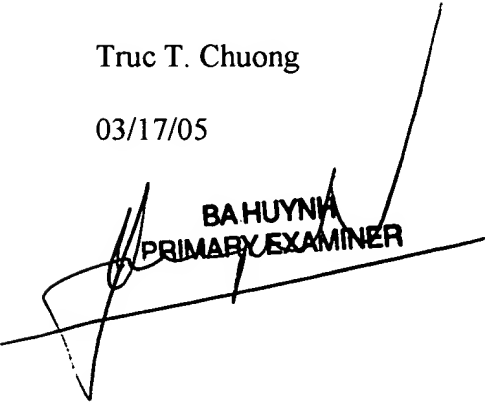
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

03/17/05

BA HUYNH
PRIMARY EXAMINER